



IAPG Rec'd PCT/PTO 11 SEP 2006

PATENT APPLICATION  
CS8726  
BCS033050

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF

PETER DAHMEN ET AL

SERIAL NO.: 10/565,253

FILED: JANUARY 19, 2006

TITLE: FUNGICIDAL ACTIVE  
SUBSTANCE COMBINATIONS

)  
NOTIFICATION DATED  
AUGUST 29, 2006  
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)  
)

REPLY TO NOTIFICATION OF DEFECTIVE RESPONSE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants are respectfully responding to the Notification dated August 29, 2006, requiring a Sequence Listing for the above-identified application. No sequence listing is required in this application and no sequence listing was present in the instant application when filed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450, on 09/07/06

Date

Richard E. L. Henderson, Reg. No. 31,619

Name of applicant, assignee or Registered Representative

*Richard E. L. Henderson*

Signature

September 7, 2006

Date

Applicants are enclosing a copy of their original Notification of Defective Response dated August 29, 2006 and request that a Withdrawal Notice be sent to applicants and that the Notice of Acceptance for this application be mailed to the address of record.

Respectfully submitted,

By Richard E. L. Henderson  
Richard E. L. Henderson  
Attorney for Applicant(s)  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/565,253	Peter Dahmen	CS8726/BCS033050
INTERNATIONAL APPLICATION NO.		
PCT/EP04/08072		
I.A. FILING DATE		PRIORITY DATE
07/20/2003		
CONFIRMATION NO. 7823		
371 FORMALITIES LETTER		
 <small>*OC000000020217856*</small>		

34469  
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 Patent Department  
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 PITTSBURGH, PA 15205-9741

DOCKETEL  
 BY RT 9/16/06  
 DATE 9/29/06 Response  
 APPROVED

Date Mailed: 08/29/2006

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Copy of the International Application filed on 01/19/2006
- English Translation of the IA filed on 01/19/2006
- Copy of the International Search Report filed on 01/19/2006
- Preliminary Amendments filed on 04/03/2006
- Information Disclosure Statements filed on 01/19/2006
- Oath or Declaration filed on 06/05/2006
- U.S. Basic National Fees filed on 01/19/2006
- Priority Documents filed on 01/19/2006
- Specification filed on 01/19/2006
- Claims filed on 01/19/2006
- Abstracts filed on 01/19/2006

Applicant's response filed 06/05/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 05/04/2006 have not been completed.

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825 (d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821 (e) may be submitted in lieu of a new CRF.

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- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/565,253	PCT/EP04/08072	CS8726/BCS033050

FORM PCT/DO/EO/916 (371 Formalities Notice)